



the
COAST GUARD
AUTHORIZATION ACT OF 2015



HOUSE COMMITTEE ON TRANSPORTATION & INFRASTRUCTURE



STRENGTHENING OUR COAST GUARD



The Coast Guard Authorization Act of 2015 supports and strengthens the United States Coast Guard, one of our Nation's five armed services, in its critical missions to save lives, safeguard our shores, and protect living marine resources. These missions include search and rescue, marine safety, maritime law enforcement, drug and migrant interdiction, maintaining aids-to-navigation, icebreaking, marine environmental protection, oil spill prevention and response, defense readiness, and ports, waterway, and coastal security.

The Coast Guard consists of approximately 40,000 active duty military personnel, 7,500 reservists, and 8,300 civilian employees. This unique and adaptable military force falls under the Department of Homeland Security during peace time but may become a specialized force within the Navy during times of war.

Every year, the men and women of the Coast Guard conduct tens of thousands of operations to help ensure the safety of Americans and those traveling by sea. Last year, the Coast Guard responded to over 17,500 search and rescue cases saving over 3,400 lives, conducted over 8,600 security boardings of vessels entering U.S. ports, inspected over 12,500 U.S. flagged commercial vessels to ensure safety and security requirements were met, maintained over 51,000 aids to navigation, and interdicted over 3,500 undocumented migrants and 140 metric tons of illegal drugs.

The Coast Guard Authorization Act of 2015 authorizes the Coast Guard for two years at fiscally responsible levels to carry out these missions, while helping to replace and modernize the Coast Guard's aging assets in a cost effective manner, enhancing oversight, and reducing inefficiencies to save taxpayer dollars.



SUPPORTING AND STRENGTHENING THE COAST GUARD

Authorizes the Coast Guard for Fiscal Year 2016 and 2017: This fiscally responsible legislation reauthorizes the Coast Guard at currently authorized levels, ensuring the Service has the resources it needs to successfully conduct its critical missions.

Supports Coast Guard Servicemembers: Supporting our men and women serving in the Coast Guard is a top priority. This bill ensures Coast Guard officers and enlisted servicemembers receive access to the same benefits as their counterparts in the Department of Defense.

Helps to Keep the Modernization of Aging Coast Guard Assets on Schedule: It is essential to ensure the Coast Guard has the tools to carry out its important missions. This legislation authorizes funding at a level that will keep critically needed new aircraft, vessels, and related technology on schedule and on budget.

IMPROVING MISSION EFFECTIVENESS

Modernizes Leadership: Aligns the leadership structure of the Coast Guard with that of the other Armed Services to improve interaction and cooperation among the services.

Improves National Security Competencies: Authorizes the appointment of Coast Guard officers to critical national security assignments.

Promotes Private Sector Solutions: Encourages the Coast Guard to explore commercial off-the-shelf technologies to solve problems affecting mission performance.

Seeks Independent Recommendations: Requires the GAO to review Coast Guard mission performance and provide recommendations on ways to improve effectiveness.

ENHANCING OVERSIGHT, INCREASING EFFICIENCY, AND SAVING TAXPAYER DOLLARS

Enhances Accountability in Acquisitions: Makes important reforms to the acquisition process to reduce costs and improve the quality of assets delivered.

Increases Congressional Oversight: In order to ensure accountability and stronger Congressional oversight, the legislation requires the Coast Guard to plan for its long-term acquisition and manpower needs.

Prevents Taxpayer Dollars from Being Wasted: Authorizes the Coast Guard to recover its costs for servicing privately-held marine events. Eliminates, consolidates, and modifies duplicative and outdated reporting requirements.



SUPPORTING OUR MARITIME TRANSPORTATION SYSTEM

The Coast Guard Authorization Act of 2015 also addresses our maritime transportation system, an essential component of our economy and instrumental to our national security. The U.S. maritime industry sustains more than 500,000 jobs providing nearly \$29 billion in annual wages. There are more than 40,000 commercial vessels currently flying the American flag. The vast majority of these vessels are engaged in domestic commerce, moving over 100 million passengers and \$400 billion worth of goods between ports in the U.S. on an annual basis. Each year, the U.S. maritime industry accounts for over \$100 billion in economic output.

Beyond the important contributions to our economy, a healthy maritime industry is vital to our national security. Throughout our history, the U.S. military has relied on U.S. flagged commercial vessels crewed by American Merchant Mariners to carry troops, weapons, and supplies to the battlefield. During Operations Enduring Freedom and Iraqi Freedom, U.S. flagged commercial vessels transported 63 percent of all military cargos moved to Afghanistan and Iraq. Since we cannot rely on foreign vessels and crews to provide for our national security, it is critical that we maintain a robust fleet of U.S. flagged vessels, a large cadre of skilled American mariners, and a strong shipyard industrial base.



Supports U.S. Flagged and Crewed Vessels: Strengthens the enforcement of current law that requires cargo financed by the federal government to be shipped on U.S. flagged vessels.

Reduces Regulatory Burdens: Requires the Coast Guard to certify local physicians to make medical fitness determinations of merchant mariners, aligns the expiration of the multiple documents American mariners must carry to work on board vessels, eliminates the need for annual registration of recreational vessels, and encourages the Coast Guard to reduce reporting requirements on industry.

Promotes Common Sense Regulations: Revises outdated regulatory definitions to bring them in line with modern industry practice and to improve manufacturing efficiency and recreational vessel safety.

Improves Accountability at the Federal Maritime Commission: The Federal Maritime Commission (FMC) is the independent federal agency responsible for regulating the U.S. international ocean transportation system for the benefit of U.S. exporters, importers, and the U.S. consumer. The Coast Guard Authorization Act of 2015 re-authorizes the FMC at currently authorized levels for fiscal years 2016 and 2017. The legislation includes reforms to the proceedings of the FMC and prohibits the spending of taxpayer funds on superfluous awards.



H.R. _____, THE COAST GUARD AUTHORIZATION ACT OF 2015

Section By Section

Title I – AUTHORIZATION

Sec. 101. Authorizations – This section authorizes \$8.7 billion in discretionary funds for the Coast Guard for each of the fiscal years 2016 and 2017. This level of funding supports military pay raises for Coast Guard servicemembers at a level consistent with servicemembers of the other Armed Forces.

This section also authorizes an end-of-year strength for active duty Coast Guard personnel of 43,000 for each of the fiscal years 2016 and 2017.

The other Armed Services are currently required to provide Congress with a manpower requirements plan that justifies requested end strengths against mission requirements. The Coast Guard does not currently provide Congress with a similar plan. This section would improve oversight of the Service's mission performance by requiring the Coast Guard to provide Congress a plan for building and maintain the force structure it needs to effectively carry out its missions.

Finally, this section clarifies that funds authorized in the bill may be used to construct an icebreaker capable of buoy tending on the Great Lakes.

Sec. 102. Conforming Amendments – This section makes conforming and technical changes to title 14, United States Code.

Title II – COAST GUARD

Sec. 201. Vice Commandant - The Coast Guard is the only Armed Service with a vice service chief that does not have the rank of a four star flag or general officer. This section would change the rank of the Vice Commandant of the Coast Guard from vice admiral to admiral to align the leadership structure of the Coast Guard to that of the other Armed Services. This change will enable the Vice Commandant to better represent the Coast Guard and the Commandant during frequent interactions with counterparts in the other Armed Services.

Sec. 202. Vice Admirals - The Coast Guard is currently the only Armed Service without a chief of staff. The position was discontinued in 2011 and many of the responsibilities were assumed by the Vice Commandant. This dilutes the focus of the Vice Commandant from his traditional duties as the vice service chief. This section authorizes the Coast Guard to reinstate the position of Chief of Staff.

This section also authorizes the President to appoint additional Coast Guard vice admirals to positions in the executive branch. The Chairman of the Joint Chiefs of Staff has requested the appointment of Coast Guard officers to serve on the Joint Staff, but limitations on the number of Coast Guard vice admirals under current law prohibits the Service from fulfilling this pressing national security request.

Sec. 203. Remission Indebtedness - This section ensures that members of the Coast Guard are not held liable for administrative errors that result in overpayments of pay and benefits. Members of the other Armed Services currently receive similar protections.

Sec. 204. Acquisition Reform – This section enacts recommendations made by the General Accountability Office (GAO) to improve the performance of assets acquired, as well as oversight of the Coast Guard’s acquisition process. The section requires the Coast Guard to establish the performance data that will be used to evaluate a new asset prior to testing the asset and to determine the performance thresholds that have to be met during testing. The section further requires the Coast Guard to provide additional information to Congress to ensure better oversight of the Service’s multi-year, multi-billion dollar major asset recapitalization program.

Sec. 205. Auxiliary Jurisdiction – This section clarifies the jurisdiction of the Coast Guard Auxiliary.

Sec. 206. Long Term Major Acquisitions Plan – Under current law the Navy provide Congress with a long term plan for its shipbuilding requirements. The Coast Guard does not conduct a similar long term planning effort for its major assets. This section would improve oversight of the Coast Guard’s effort to recapitalize its major assets by requiring the Service to develop a long term plan of its acquisition needs and the funding levels to support them.

Sec. 207. Coast Guard Communities – This section removes administrative barriers in the Coast Guard’s program to recognize communities that have supported the Service.

Sec. 208. POLAR SEA Materiel Condition Assessment and Service Life Extension Decision – This section sets a deadline of 270 days for the Coast Guard to complete and submit to Congress its assessment of the condition of its Polar Class icebreaker POLAR SEA and its determination of whether it is cost effective to reactivate the cutter.

Sec. 209. Repeal – This section continues a limitation in current law on the authority of the Coast Guard to reassign certain aviation assets.

Sec. 210. Technical Corrections – This section makes technical and clarifying changes to title 14, United States Code.

Sec. 211. Digital Boat Profile – This section authorizes the Coast Guard to conduct a pilot program to test the effectiveness of commercially available technology to improve the maintenance and readiness of its cutter fleet.

Sec. 212. Discontinuance of an Aid to Navigation – This section requires the Coast Guard to establish and implement a process that ensures adequate public notification when removing an aid to navigation.

Sec. 213. Mission Performance Measures – This section requires the GAO to review the metrics the Coast Guard uses to evaluate its mission performance.

Sec. 214. Communications – This section authorizes the Coast Guard to conduct a pilot program to test the effectiveness of commercially available technology to improve communications during response activities.

Sec. 215. Coast Guard Graduate Maritime Operations Education - This section authorizes the Coast Guard to establish a graduate education program at an existing public academic institution to improve the professional development of servicemembers and civilian employees.

Title III – SHIPPING AND NAVIGATION

Sec. 301. Treatment of Fishing Permits – This section clarifies that a fishing permit is not an appurtenance to a vessel and therefore not subject to a maritime lien.

Sec. 302. Survival Craft – This section would phase-in a requirement to carry out-of-water survival craft by passenger vessels operating in certain waters.

Sec. 303. Enforcement – This section would improve the oversight and enforcement of cargo preference laws.

Sec. 304. Model Years for Recreational Vessels – The current regulatory definition of model year for recreational vessels is inconsistent with industry practice and interferes with the marketplace. This section revises the definition of model year for new recreational vessels and provides industry with appropriate discretion to market their product.

Sec. 305. Merchant Mariner Credential Expiration Harmonization – The Coast Guard requires American mariners to apply for and carry several documents to work aboard vessels. These documents often expire at different times requiring the mariner and their employers to lose days of work to satisfy renewal requirements. This section would alleviate this administrative burden and lost productivity by requiring the Coast Guard to harmonize the expiration of merchant mariner credentials, radar observer endorsements, and medical certificates for certain mariners.

Sec. 306. Marine Event Safety Zones – Each year, the Coast Guard spends a significant amount of its time and taxpayer funds to ensure the safety of waterways during privately held events, such as fireworks displays. While Coast Guard presence is important to ensure public safety, the event itself often does not provide a public benefit. To defray the cost on the taxpayer, this section authorizes the Coast Guard to recover costs it incurs from the enforcement of safety zones around privately held events.

Sec. 307. Technical Corrections – Makes technical corrections to shipping and navigation law.

Sec. 308. Recommendations for Improvements of Marine Casualty Reporting – The Department of Homeland Security Inspector General and the Coast Guard's Towing Safety Advisory Committee recently provided the Service with recommendations to modernize and improve its marine casualty reporting program. This section would require the Coast Guard to notify the Committee of the actions it is taking to implement these recommendations.

Sec. 309. Recreational Vessel Engine Weights – It has been more than 20 years since the Coast Guard updated the references it provides manufacturers to use to determine the weight of engines when conducting floatation tests of its new products. Today's engines are considerably heavier than those built in 1984. Using the outdated Coast Guard references for engine weight could result in less floatation being added to the recreational vessel than is required to avoid swamping or sinking. This section would require the Coast Guard to update its references to recreational vessel engine weights to ensure accurate vessel floatation tests by manufacturers and improve recreational vessel safety.

Sec 310. Merchant Mariner Medical Certification Reform – In order to work on a vessel, American mariners are required to meet certain medical and physical fitness standards established by the Coast Guard. To certify that they meet such standards, mariners are required to take a form developed by the Coast Guard to their doctor, have the doctor fill it out, and submit it to the Coast Guard for review and certification. Coast Guard employees with limited medical training, having never met the mariner or medically treated the mariner, and without a thorough understanding of the mariner’s medical history, make a medical fitness determination based solely on the information included on the form. This centralized process creates substantial administrative burden on the mariner and often leads to delays in processing mariner medical certificates.

Since 1927, the Federal Aviation Administration has had a system in place to certify the medical and physical fitness of pilots that relies on government certified local physicians to examine pilots and empowers them to issue medical certificates. This efficient system has not undermined safety, nor resulted in the delays and administrative burdens inherent in the Coast Guard’s system of medical certification.

This section would require the Coast Guard to certify local physicians to make medical fitness determinations of merchant mariners.

Sec. 311. Atlantic Coast Port Access Route Study – This section would require the Coast Guard to complete its Atlantic Coast Port Access Route Study by April 2016 and provide a copy to the Committee.

Sec. 312. Certificates of Documentation for Recreational Vessels – While Coast Guard certificates of documentation (COD) are not required for recreational vessels, many owners elect to document their vessels as it makes it easier for passage into foreign ports and it precludes them from having to abide by state registration requirements. However, Coast Guard CODs do not come in electronic form and the requirement that CODs be renewed on an annual basis often presents an unnecessary administrative burden on vessel owners. This section would require the Coast Guard to develop a COD for recreational vessels that is effective for five years.

Sec. 313. Program Guidelines - This section sets a deadline for the Secretary of Transportation to establish guidelines to implement section 304(a) of the Coast Guard and Maritime Transportation Act of 2006.

Title IV – FEDERAL MARITIME COMMISSION

Sec. 401. Authorization – This section authorizes the Federal Maritime Commission (FMC) for fiscal years 2016 and 2017 at currently authorized levels.

Sec. 402. Duties of the Chairman – This section would reform certain functions of the FMC to improve accountability. Specifically, this section ensures that all Commissioners have the opportunity to review hiring decisions and FMC budget submissions.

Sec. 403. Prohibition on Awards – For the past few years the Chairman of the FMC has spent staff time and taxpayer resources to recognize private companies with Earth Day Awards. The FMC has no statutory or regulatory authority over environmental protection or restoration. This section would prohibit the FMC from continuing to expend taxpayer dollars on superfluous awards for non-federal entities.

Title V – MISCELLANEOUS

Sec. 501. Conveyance of Coast Guard Property in Marin County, California – This section would authorize the Coast Guard to convey property under its administrative control to Marin County, CA, at fair market value.

Sec. 502. Elimination of Reports – This section would eliminate two outdated and duplicative reports and modify the frequency of another report.

Sec. 503. Vessel Documentation – This section requires the GAO to provide recommendations to Congress to improve the performance of functions carried out by the Coast Guard's National Vessel Documentation Center, including compliance with laws governing U.S. ownership requirements for certain vessels.